

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
Allentown Division

EDWARD T. KENNEDY,
Plaintiff,

Case No. 5: 18-cv-00257-JFL

-v-

COMMISSIONER DEPARTMENT OF
THE TREASURY INTERNAL REVENUE
SERVICE, et. al.
Defendants.

ORDER ON GRANTING PLAINTIFF'S MOTION TO DENY
DEFENDANT'S MOTION TO DISMISS

Upon consideration of the Plaintiff's Motion to Deny Defendant's Motion to Dismiss, any
opposition and reply thereto, it is

ORDERED that the Motion is GRANTED.

DATE: _____

UNITED STATES DISTRICT JUDGE

APPROVED & ENTRY REQUESTED

EDWARD T. KENNEDY
Plaintiff, Pro Se.

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
Allentown Division

EDWARD T. KENNEDY,
Plaintiff,

Case No. 5: 18-cv-00257-JFL

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COMMISSIONER DEPARTMENT OF
THE TREASURY INTERNAL REVENUE
SERVICE, et. al.
Defendants.

PLAINTIFF'S MOTION TO DENY DEFENDANT'S MOTION TO DISMISS

1. Plaintiff moves for an order to deny Defendant's Motion to Dismiss for lack of subject matter jurisdiction and failure to state a claim pursuant to Fed R. Civ. P. 12 (b) (6)

2 The grounds for this motion are Plaintiff did state a claim for which relief can be granted and this court does have subject matter jurisdiction as a federal question.

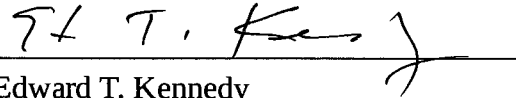
3. This motion is based on the pleadings and papers on file in this case in the attachment of PLAINTIFF'S MEMORANDUM IN RESPONSE TO DEFENDANT'S MOTION TO DISMISS FOR LACK OF SUBJECT-MATTER JURISDICTION AND FAILURE TO STATE A CLAIM PURSUANT TO FEDERAL RULES OF CIVIL PROCEDURE 12(B)(6.).

4. Defendant's claim of sovereign immunity and the Internal Revenue Code Section 7433 are not relevant to this case.

WHEREFORE, Plaintiff requests the court to dismiss Defendant's Motion to Dismiss.

Date: April 19, 2018.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ed T. Kennedy", is written over a horizontal line.

Edward T. Kennedy

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing PLAINTIFF'S MOTION TO DENY DEFENDANT'S MOTION TO DISMISS and PLAINTIFF'S MEMORANDUM IN RESPONSE TO DEFENDANT'S MOTION TO DISMISS FOR LACK OF SUBJECT-MATTER JURISDICTION AND FAILURE TO STATE A CLAIM PURSUANT TO FEDERAL RULES OF CIVIL PROCEDURE 12(B)(6.) in person today at the Clerk of the Court at UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA Allentown Division location, and served by fax to 202-514-6866 on the following Attorney in charge for the Defendants Commissioner Department of the Treasury Internal

Revenue Service and John Doe:

Catriona M. Coppler
Tax Attorney, Tax Division
US Department of Justice
Post Office Box 227
Washington DC 20044


EDWARD T. KENNEDY
Plaintiff, Pro Se.